

**DECISION MEMO**  
**SCANLAN CABIN REBUILD PROJECT**  
**U.S. FOREST SERVICE**  
**HUMBOLDT-TOIYABE NATIONAL FOREST**  
**MOUNTAIN CITY, RUBY MOUNTAINS, JARBIDGE RANGER DISTRICT**  
**ELKO COUNTY, NEVADA**

## **BACKGROUND**

## **DECISION**

I have decided to approve the rebuilding of the cabin and associated outbuildings.

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as “*Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land*” (36 CFR 220.6(e) 3).

This category of action(s) is applicable because the special use authorization requires less than one acre of land.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I considered resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species;
- Threatened and Endangered Species: None present
- Forest Service Sensitive Species: No effect to the Greater Sage Grouse
- Flood plains, wetlands, or municipal watersheds – The project is adjacent to a small ephemeral stream channel. Any effects to wetlands and floodplains would be very negligible, if any. There are no municipal watersheds in the vicinity of the project.
- Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – None present
- Inventoried roadless areas or potential wilderness areas – None present
- Research natural areas – None present
- American Indians and Alaska Native religious or cultural sites – no sites were identified that would require protection.

- Archaeological sites, or historic properties or areas – No adverse effect because known sites are being avoided. SHPO concurrence was received on September 24, 2019.

## PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Humboldt-Toiyabe National Forest Schedule of Proposed Actions and updated periodically during the analysis. The scoping letter was mailed to potentially affected parties on April 23, 2019. No issues or concerns were raised during public involvement.

## FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Humboldt National Forest Land and Resource Management Plan.

This decision is also consistent with the following laws:

- Endangered Species Act
- National Historic Preservation Act
- Migratory Bird Treaty Act
- Clean Water Act
- Clean Air Act

## ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

No appeal opportunities are provided for this decision.

## IMPLEMENTATION DATE

This decision may be implemented immediately after approval.

## CONTACT

For additional information concerning this decision, contact: Wendy Markham at [wendy.markham@usda.gov](mailto:wendy.markham@usda.gov) or 775-352-1218.

  
Joshua Nicholes  
District Ranger

09/29/2019  
Date

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(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

Figure 1 – Proposed utility pole and line location